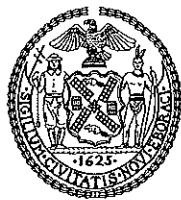


MEMO ENDORSED



THE CITY OF NEW YORK
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July 14, 2023

VIA ECF

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl St.
New York, N.Y. 10007

Granted.
SO ORDERED.
/s/ Lewis A. Kaplan
Lewis A. Kaplan
United States District Court Judge
Dated: July 17, 2023

Re: Madeline Feliciano, guardian of Nicholas Feliciano v. The City of New York, et. al., 20 Civ. 10033 (MKV)

Your Honor:

I am a Senior Counsel in the office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, representing defendants City of New York and Mark Peralta in the above-referenced matter. We write with the consent of all parties to respectfully request that the stay of all proceedings which is presently in effect in this case through July 31, 2023 (See Docket 139) be extended through October 11, 2023.

The reason for the request is twofold. First, as the Court is aware, there are parallel criminal investigations ongoing in connection with the underlying suicide attempt which gives rise to this civil rights action. Thus, this Court has the discretion to stay a civil case in the interest of justice. See United States v. Kordel, 397 U.S. 1, 12 n.27 (1970) ("Federal courts have deferred civil proceedings pending the completion of parallel criminal prosecutions when the interests of justice seemed to require such action,...").¹ Defendants respectfully request the continued stay due to the pending and parallel criminal investigations.

¹ Plaintiffs' counsel have previously indicated that they do not agree that a stay is required by law, but consent to a stay in any event.